



2006 CHARTER QUESTIONS
Please vote on November 7, 2006!

**Your VOTE
can make
a difference!**



The City Charter is Honolulu’s “constitution,” serving as the governing document that establishes the principles by which our City government operates. The Charter requires that the Mayor and City Council appoint a Commission every ten years to review the Charter and submit changes to the voters.

The 2005-2006 Charter Commission held 35 public meetings and received extensive testimony on changes to the Charter. After studying many proposals, twelve charter questions were selected to present to the voters at the General Election.

Vote on the Charter Amendments

We urge you to participate in determining the future of our City by voting on these proposed charter amendments at the General Election on November 7, 2006.

This booklet provides brief explanations of each proposed charter amendment. To prepare for Election Day, please take a moment to read this booklet and decide how you will vote on each proposal. Please fill out the worksheet at the end of this booklet and take it with you to the polls.

2005-2006 Charter Commission

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Loretta Ho, <i>Secretary</i>		
Nikki Love, <i>Researcher</i>		

Mahalo
for helping to shape the future of Honolulu!

2006 Charter Questions

1. Should City Council term limits be replaced by Alternative A or B below; and, separately, to address concerns relating to election of City Council members caused by reapportionment every ten years, should staggered terms be replaced by Alternative A or B below?

Present: The City Council consists of nine members who are elected to four-year terms. Councilmembers and the Mayor are currently limited to two consecutive four-year terms. Councilmembers' terms are also staggered, so that five of the seats are elected in one election, and the other four seats are elected in the next election two years later.

If proposal passes:

- The current system of term limits and staggered terms for the Council would be changed.
- The new system for the Council would be determined by the result of the vote on the next question.
- The term limit for the Mayor would not be changed.

2. If Charter Question 1 is approved, which proposal relating to Councilmember terms should be adopted?

ALTERNATIVE A. Term limits for Councilmembers and the staggering of Councilmembers' terms shall be eliminated.

ALTERNATIVE B. Councilmembers shall be limited to serving a maximum of three consecutive four-year terms, and the staggering of Councilmember terms shall be eliminated.

Note: Whether you voted "yes" or "no" on the previous question, you may still cast a vote on this question. If the previous question passes, then the new system will be determined by the result of the vote on this question. If the previous question does NOT pass, then the result of the vote on this question will not take effect.

Present: City Council members and the Mayor are currently limited to two consecutive four-year terms. Councilmembers' terms are staggered, so that five of the seats are elected in one election, and the other four seats are elected in the next election two years later.

If ALTERNATIVE A is selected:

- Staggering of Councilmember terms would be eliminated, so that all seats would be up for election in the same year.
- Council term limits would be eliminated; Councilmembers may be re-elected without limit on number of terms served.
- The term limit for the Mayor would not be changed.

If ALTERNATIVE B is selected:

- Staggering of Councilmember terms would be eliminated, so that all seats would be up for election in the same year.
- Council term limits would be extended, so that Councilmembers may serve up to three consecutive four-year terms.
- Councilmember terms already served would not count toward the limit, so current incumbents would be eligible for an additional three consecutive four-year terms.
- The term limit for the Mayor would not be changed.

3. Should one percent of annual property tax revenues be appropriated to funds for land conservation and affordable housing?

Present: There are no specially dedicated funds for acquisition of public lands for land conservation or for providing and maintaining affordable housing.

If proposal passes:

- A minimum of one percent of real property tax revenues would be placed in two special funds; one fund would be known as the "Clean Water and Natural Lands Fund" and the other would be known as the "Affordable Housing Fund."
- Moneys in the "Clean Water and Natural Lands Fund" would be used to purchase or acquire real estate for land conservation.
- Moneys in the "Affordable Housing Fund" would be used to provide and maintain affordable housing for persons earning less than fifty percent of the median household income in the city.
- Moneys in the funds would not lapse, but shall remain in the funds, accumulating from year to year.

4. Should the powers, duties, and functions of the Director of Environmental Services include comprehensive curbside recycling?

Present: The powers, duties, and functions of the Director of Environmental Services include the development and administration of solid waste

collection, processing, and disposal systems, but do not specifically include curbside recycling.

If proposal passes:

- The powers, duties, and functions of the Director of Environmental Services would also include developing and administering a comprehensive curbside recycling system.

5. Should the Ethics Commission have the authority to impose civil fines on elected officers for ethics violations?

Present: The Ethics Commission can make recommendations for disciplinary action against elected officers, but cannot impose fines or other discipline.

If proposal passes:

- Ethics Commission would have the power to impose civil monetary fines against elected officers of the City.
- The amount of the fines would be established by ordinance.

6. Should races with only two candidates be held in the General Election instead of the Primary Election?

Present: All City elections, even those involving two candidates only, are held during the first special election (on Primary Election day).

If proposal passes:

- In any City election in which there are only two candidates for a position, the election would be held at the second special election (on General Election day), rather than at the first special election (on Primary Election day).

7. Should the City Council's power to reject Salary Commission recommendations be eliminated?

Present: The City Council has the power to reject the Salary Commission's recommendations as to the salaries of elected officials and certain high-ranking City employees.

If proposal passes:

- The Salary Commission's decisions on salaries and salary schedules would be final.

- The City Council would not be able to reject the Salary Commission's decisions.

8. Should one of the priorities of the Department of Transportation Services be to make Honolulu a pedestrian- and bicycle-friendly city, and should the powers, duties, and functions of the Director of Transportation Services include bikeway systems?

Present: The Director of Transportation Services is responsible for transportation systems, public transit, traffic control facilities and devices, traffic safety programs, and other duties.

If proposal passes:

- The powers, duties, and functions of the Director of Transportation Services would also include bikeway systems.
- The Charter would state that it shall be one of the priorities of the Department of Transportation Services to make Honolulu a pedestrian- and bicycle-friendly city.

9. Should the Liquor Administrator, Deputy Administrator, and secretary be exempt from civil service provisions?

Present: The positions of Liquor Administrator and Deputy Liquor Administrator are civil service positions.

If proposal passes:

- The Liquor Administrator, Deputy Liquor Administrator and a new secretary position would be exempt from civil service provisions.
- The Liquor Commission would have the power to appoint and remove the Liquor Administrator.
- The Liquor Administrator would have the power to appoint and remove the Deputy Liquor Administrator and a secretary in a new exempt position.

10. Should the Charter be amended to state the additional services currently being provided by the Director of Emergency Services and by the Fire Chief?

Present: The powers, duties, and functions of the Director of Emergency Services and the Fire Chief are set forth in the Charter, but do not specify certain powers, duties, and functions relating to emergency medical

services, ocean safety, hazardous materials, and injury prevention that are already being performed by the departments.

If proposal passes:

- The powers, duties, and functions of the Director of Emergency Services would specify that the Director shall be the primary provider of emergency medical care, and that the Director would develop programs related to injury prevention, provide for ocean safety programs, and be the primary responder to emergencies arising on the beach and near shore waters.
- The powers, duties, and functions of the Fire Chief would specify that the Fire Chief shall also provide emergency medical care and specify that the Fire Chief shall respond to hazardous material incidents.

11. Should capital budget appropriations lapse 12 months after the fiscal year, instead of the current 6 months?

Present: The capital budget includes appropriations for constructing public improvements, acquiring land, and carrying out planning and engineering studies. Appropriations authorized in the capital budget may be spent during that fiscal year and for 6 months thereafter.

If proposal passes:

- The time would be extended, so that money appropriated in the capital budget may be spent during the fiscal year and for 12 months thereafter.

12. Should the Charter be amended to also provide public notice by electronic medium and for housekeeping amendments (i) to conform to current functions and operation, (ii) to conform to legal requirements, (iii) to correct an inadvertent omission, and (iv) for clarity?

- (a) Revise the powers, duties, and functions of the Director of Information Technology;**
- (b) Include the Director of Customer Services in the list of department heads to be appointed by the Mayor with the advice and consent of the Council and may be removed by the Mayor;**
- (c) Include the reference to the Hawaii Constitution prohibition on Ethics Commission members from taking active part in political campaigns;**

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- (d) Delete the unconstitutional prohibition on political campaigning by Police Department employees;**
 - (e) Delete the Civil Defense Administrator from the list of department heads to be appointed by the Mayor with the advice and consent of the Council and who may be removed by the Mayor;**
 - (f) Delete the requirement of Social Security numbers on petitions for recall, ordinances by initiative, and charter amendments;**
 - (g) Require public notices to also be distributed via electronic medium.**

This ballot question combines seven items. One item is to also provide public notice by electronic medium and the remaining items are housekeeping amendments to conform to current functions and operations, to conform to legal requirements, to correct an inadvertent omission and for clarity. If the proposal passes:

- (a) Language regarding the Department of Information Technology would be modernized to use terms such as “information technology” and “telecommunications” instead of “data processing.”
- (b) To correct an inadvertent omission, the Director of Customer Services will be included in the list of department heads to be appointed by the Mayor with the advice and consent of the Council and may be removed by the Mayor.
- (c) For clarification, the Charter would include a reference to the Hawaii State Constitution prohibition on Ethics Commission members from taking an active part in political campaigns.
- (d) To conform to a court decision, the unconstitutional prohibition on political campaigning by Police Department employees would be deleted from the Charter.
- (e) To conform to legal requirements, the Civil Defense Administrator would be deleted from the list of department heads who are appointed by the Mayor with the advice and consent of the Council and may be removed by the Mayor.
- (f) To conform to federal law, the requirement of Social Security numbers on petitions for recall, ordinances by initiative, and charter amendments would be deleted.
- (g) In addition to the requirement that public notice be published in a newspaper of general circulation, public notices would be required to be distributed via an electronic medium.

Charter Questions
November 7, 2006 General Election

Mark your choices and bring this with you to the polls!

1. Should City Council term limits be replaced by Alternative A or B below; and, separately, to address concerns relating to election of City Council members caused by reapportionment every ten years, should staggered terms be replaced by Alternative A or B below?

☐ **YES** ☐ **NO**

2. If Charter Question 1 is approved, which proposal relating to Councilmember terms should be adopted?

ALTERNATIVE A. Term limits for Councilmembers and the staggering of Councilmembers' terms shall be eliminated.

ALTERNATIVE B. Councilmembers shall be limited to serving a maximum of three consecutive four-year terms, and the staggering of Councilmember terms shall be eliminated.

☐ **A** ☐ **B**

3. Should one percent of annual property tax revenues be appropriated to funds for land conservation and affordable housing?

☐ **YES** ☐ **NO**

4. Should the powers, duties, and functions of the Director of Environmental Services include comprehensive curbside recycling?

☐ **YES** ☐ **NO**

5. Should the Ethics Commission have the authority to impose civil fines on elected officers for ethics violations?

☐ **YES** ☐ **NO**

6. Should races with only two candidates be held in the General Election instead of the Primary Election?

☐ **YES** ☐ **NO**

7. Should the City Council's power to reject Salary Commission recommendations be eliminated?

☐ **YES** ☐ **NO**

Continued

Charter Questions

November 7, 2006 General Election

Continued from page 7

8. Should one of the priorities of the Department of Transportation Services be to make Honolulu a pedestrian- and bicycle-friendly city, and should the powers, duties, and functions of the Director of Transportation Services include bikeway systems?

☐ **YES** ☐ **NO**

9. Should the Liquor Administrator, Deputy Administrator, and secretary be exempt from civil service provisions?

☐ **YES** ☐ **NO**

10. Should the Charter be amended to state the additional services currently being provided by the Director of Emergency Services and by the Fire Chief?

☐ **YES** ☐ **NO**

11. Should capital budget appropriations lapse 12 months after the fiscal year, instead of the current 6 months?

☐ **YES** ☐ **NO**

12. Should the Charter be amended to also provide public notice by electronic medium and for housekeeping amendments (i) to conform to current functions and operation, (ii) to conform to legal requirements, (iii) to correct an inadvertent omission, and (iv) for clarity?

- (a) Revise the powers, duties, and functions of the Director of Information Technology;
- (b) Include the Director of Customer Services in the list of department heads to be appointed by the Mayor with the advice and consent of the Council and may be removed by the Mayor;
- (c) Include the reference to the Hawaii Constitution prohibition on Ethics Commission members from taking active part in political campaigns;
- (d) Delete the unconstitutional prohibition on political campaigning by Police Department employees;
- (e) Delete the Civil Defense Administrator from the list of department heads to be appointed by the Mayor with the advice and consent of the Council and who may be removed by the Mayor;
- (f) Delete the requirement of Social Security numbers on petitions for recall, ordinances by initiative, and charter amendments;
- (g) Require public notices to also be distributed via electronic medium.

☐ **YES** ☐ **NO**

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**Translated materials are available in Japanese, Chinese and Ilocano.
Please contact the Charter Commission for more information.**

さらに詳しい情報については、憲章委員会に電話（592-8622）か電子メール（charter@honolulu.gov）での問い合わせか、ウェブサイト（<http://www.honolulu.gov/chc>）での閲覧が可能です。

有關詳情請與市府法規委員會聯繫，電話 592-8622，或 charter@honolulu.gov，或上網查詢，網址為 <http://www.honolulu.gov/chc>。

Para ti ad-adu pay nga impormasyon, kontaken ti Charter Commission iti 592-8622 wenno iti charter@honolulu.gov wenno bisitaen ti website da iti www.honolulu.gov/chc.